

CP 1001-
(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3176 of 2003.

PETITIONER

: Shiv Kumar Dubey, son of Shri Tirath Prasad Dubey, aged about 36 years, resident of village Sakholi, P.S. Darima, Tahsil Ambikapur, Distt. Surguja (C.G.).

Versus

RESPONDENTS

1. State of Chhattisgarh
Through : The Secretary,
Panchayat & Rural Development
Department, D.K.S. Bhawan, Raipur
2. The Director, Panchayat & Rural
Development Department, Raipur
(C.G.).
3. The Commissioner,
Bilaspur Division, Bilaspur (CG)
4. The Collector, Ambikapur,
Distt. Surguja (C.G.).
5. The Chief Executive Officer,
Janpad Panchayat, Ambikapur,
Distt. Surguja (C.G.).
6. The Sarpanch,
Village Panchayat, Sakholi,
Police Station - Darima
Tah. Ambikapur, Distt. Surguja (CG)
7. Mahendra Prasad Kushwaha,
aged about 48 years, resident
of village Sakholi, Village
Panchayat, Sakholi, P.S. Darima,
Tah. Ambikapur, Distt. Surguja
(C.G.).

P.R. No. 302103
Presented by Shri V.K. Pawley
dated 29.09.03

RECEIVED COPY.
29/9/03
TO AG. BILASPUR



WRIT PETITION UNDER ARTICLES 226/227 OF CONSTITUTION
OF INDIA

1. PARTICULARS OF THE PETITIONER :

As mentioned above in the cause title.

....contd....

आदेश पत्रक
W.P. No. 3176/03

मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>12.11.2003</u> Petitioner by Shri V. K. Pandey, Advocate. Shri Ranbir Singh, Govt Advocate takes notice on behalf of the Respondents No. 1, 2 and 4. Heard. The petition of the petitioner is that he was appointed as Panchayat Karmi at village Sakholi on 2.10.1996 and after his appointment he was performing his duties with all sincerity and devotion. However, a false complaint was made against the petitioner by some members of the village Panchayat and based on that complaint without giving any opportunity of hearing the Respondent No.4 Collector Sarguja terminated the service of the petitioner from the post of Panchayat Karmi vide order dt. 22.10.2002. Before passing the impugned order the Collector has not given any opportunity of hearing to the petitioner to defend his case and thereby the principles of natural justice have been violated. The petitioner filed an appeal against the order dt. 22.10.2002 before the Commissioner Respondent No.3 and after hearing the petitioner the Commissioner stayed the operation of the termination order passed by the Collector. A copy of the stay order passed by the Commissioner dt. 18.11.2002 is Annexure P/2. After obtaining the stay order the petitioner moved before the Respondent No.4 Collector for allowing him to join his duties but in utter violation of the order passed by the Commissioner the Respondent No.4 had not allowed the petitioner to join his duties. In the	

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आदेश पत्रक

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सन् 200

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	meantime the post of the Commissioner has been abolished. The petitioner made several representations to the Secretary, Govt. of Chhattisgarh and Director, Panchayat but so far they have not decided his representation. Learned counsel for the petitioner further submits that Respondents No. 1 and 2 may be directed to decide the representation and he may be allowed to make a detailed representation for which learned Govt. Advocate has no objection. Having heard learned counsel for the parties and having regard ^{to} the facts and circumstances of the case the petitioner is allowed to make a detailed representation to the Respondent No.1 raising all his grievances within a period of 10 days from today and the Respondent No.1 will decide the representation within another 30 days from the date of receipt of the representation in an objective manner considering all the grievances of the petitioner by passing a reasoned order. With the above observations this petition is disposed of finally. Parties are entitled for certified copy of this order.	Sd/- L.C.BHADOO Judge

[पीछे देखिये]

Thdce

14/11